8/19/98



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTO	DRNEY DOCKET NO.	
08/794,	475 02/0	4/97 NIPPERT	· .	MIP-055-PA	
		- IM41/0819 - -	EXA	MINER	
	KILLWORTH GOTTMAN HAGAN AND SCHALFF SUITE 520			SHAW, C	
	TON CENTRE		ART UNIT	PAPER NUMBER	
	JTH MAIN ST OH 45402-2		1742	Ca	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/794435 Applicant(s) Nippert et al. Examiner C. SHAW 1742
—The MAILING DATE of this communication app	pears on the cover sheet beneath the correspondence address—
Period for Response	
A SHORTENED STATUTORY PERIOD FOR RESPONSE IS MAILING DATE OF THIS COMMUNICATION.	S SET TO EXPIRE MONTH(S) FROM THE
from the mailing date of this communication. If the period for response specified above is less than thirty (30) date of the period for response is specified above, such period shall, by	FR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTH: ays, a response within the statutory minimum of thirty (30) days will be considered timely default, expire SIX (6) MONTHS from the mailing date of this communication. will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Status	
☐ Responsive to communication(s) filed on	·
☐ This action is FINAL.	
 Since this application is in condition for allowance exce accordance with the practice under Ex parte Quayle, 1 	ept for formal matters, prosecution as to the merits is closed in 1935 C.D. 1 1; 453 O.G. 213.
Disposition of Claims	
Claim(s) 1-22 Of the above claim(s)	is/are pending in the application.
Of the above claim(s)	is/are withdrawn from consideration.
$\sqrt{\frac{1-6 \pm 13-21}{1}}$	is/are allowed.
X Claim(s) 7, 9-11, \$ 22	is/are rejected.
	is/are objected to.
	are subject to restriction or election
	requirement.
Application Papers	
•	wing Review, PTO-948. (Substitute version)
☐ The proposed drawing correction, filed on is/are ob	
☐ The specification is objected to by the Examiner.	jected to by the Examiner.
☐ The oath or declaration is objected to by the Examiner	r.
Priority under 35 U.S.C. § 119 (a)-(d)	
☐ Acknowledgment is made of a claim for foreign priority	
☐ All ☐ Some* ☐ None of the CERTIFIED copies ☐ received.	
 received in Application No. (Series Code/Serial Nur received in this national stage application from the 	•
*Certified copies not received:	·
Attachment(s)	
Information Disclosure Statement(s), PTO-1449, Pape	er No(s). 2-5
Notice of References Cited, PTO-892	□ Notice of Informal Patent Application, PTO-152
Notice of Draftsperson's Patent Drawing Review, PTO	
,	Yearn) ffice Action Summary

U. S. Patent and Trademark Office PTO-326 (Rev. 3-97)

*U.S. GPO: 1997-417-381/62710

Part of Paper No.____

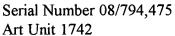


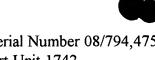
DETAILED ACTION

- 1.) Claim 22 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 22 depends from itself, making it unclear what subject matter the claim is directed to.
- 2.) The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3.) Claims 7 and 9-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by either one of the Japanese document no. 60-130483 or the German document no. 2554990. Either one of the Japanese document no. 60-130483 or the German document no. 2554990 disclose a resistance welding electrode with the features claimed.
- 4.) Claims 8 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.





- 5.) Claims 1-6 and 13-21 are allowable over the prior art of record.
- 6.) Claim 22 would be given favorable consideration if suitably amended to overcome the rejection under 35USC112 set forth in paragraph 1 above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ex. Clifford C. Shaw whose telephone number is (703)-308-1712. The telephone number for Official Faxes for art unit 1742 is (703)-305-7718.

C. SHAW/ccs (703)-308-1712 8/14/98

> **Primary Examiner** Art Unit 1742